

JUDGE COTE

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

INTERNATIONAL BUSINESS
MACHINES CORPORATION,

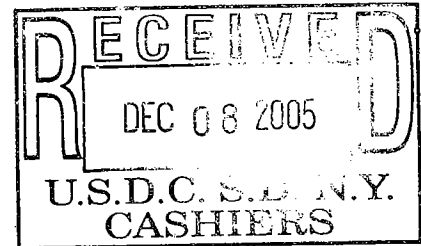
Plaintiff,

v.

FAIR ISAAC CORPORATION,

Defendant.

CIVIL ACTION NO. _____



COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff, International Business Machines Corporation ("IBM") as and for
its complaint against Fair Isaac Corporation ("Fair Isaac"), alleges as follows:

1. Plaintiff IBM is a corporation organized and existing under the laws of the State of New York and having a principal place of business at New Orchard Road, Armonk, New York, 10504.
2. Upon information and belief, defendant Fair Isaac is a corporation organized and existing under the laws of the State of Delaware and having its principal place of business at Marquette Avenue, Minneapolis, Minnesota 55402.

JURISDICTION AND VENUE

3. This is a civil action for patent infringement arising under the Patent Laws of the United States, including 35 U.S.C. § 271. This Court has jurisdiction over the subject matter of this action under 28 U.S.C. §§ 1331, 1332(a) and 1338(a). The matter in controversy exceeds the sum or value of \$75,000, exclusive of interest and costs.

4. Fair Isaac is subject to personal jurisdiction in this judicial district. Fair Isaac does business throughout the United States, including this judicial district, and maintains an office within this district at 498 Seventh Avenue, Suite 1710, New York, New York 10018.

5. Venue is proper in this district pursuant to 28 U.S.C. §§ 1391(b), 1391(c) and 1400(b).

CAUSE OF ACTION FOR PATENT INFRINGEMENT

6. On June 1, 1993, the United States Patent and Trademark Office duly and legally issued to IBM United States Letters Patent No. 5,216,592 (“the ‘592 patent”), entitled “System and Method for Business Process Automation.” Since that time, IBM has been and still is the sole owner of the entire right, title and interest in and to the ‘592 patent, including the right to recover for any and all infringements thereof. A true copy of the ‘592 patent is attached hereto as Exhibit 1.

7. Upon information and belief, defendant has infringed, contributorily infringed, and/or induced others to infringe the ‘592 patent by making, using, selling and/or offering to sell within this judicial district and elsewhere within the United States, or importing into the United State, business process automation software embodying or specially adapted to practice the invention of the ‘592 patent, within the term of the ‘592. These acts are without right, license or permission from IBM.

8. On January 4, 1994, the United States Patent and Trademark Office duly and legally issued to IBM United States Letters Patent No. 5,276,776 (“the ‘776 patent”), entitled “System and Method for Building a Computer-Based Rete Pattern Matching Network.” Since that time, IBM has been and still is the sole owner of the

entire right, title and interest in and to the '776 patent, including the right to recover for any and all infringements thereof. A true copy of the '776 patent is attached hereto as Exhibit 2.

9. Upon information and belief, defendant has infringed, contributorily infringed, and/or induced others to infringe the '776 patent by making, using, selling and/or offering to sell within this judicial district and elsewhere within the United States, or importing into the United State, business rules software embodying or specially adapted to practice the invention of the '776 patent, within the term of the '776. These acts are without right, license or permission from IBM.

10. IBM has been damaged by Fair Isaac's infringement, contributory infringement and inducement of infringement of the '592 and '776 patents, and will be irreparably harmed if these infringing activities are not enjoined.

PRAYER FOR RELIEF

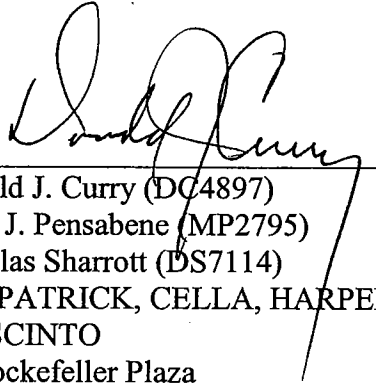
WHEREFORE, IBM prays for judgment that:

- a. IBM is the sole owner of the '592 and '776 patents and of the right to recover for any and all infringement thereof;
- b. Fair Isaac has infringed, contributorily infringed and induced others to infringe the '592 and '776 patents;
- c. Fair Isaac, its officers, agents, servants and employees, and those persons in active concert or participation with any of them, be permanently enjoined from further acts of infringement, contributory infringement or inducement of infringement of the '592 and '776 patents;

d. IBM be awarded its damages caused by the wrongful and infringing activities of Fair Isaac; and

e. IBM be awarded such further relief as this Court may deem just and proper.

Dated: December 8, 2005



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